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July 23, 2021

Via ECF and Email

The Honorable Joseph F. Bianco
United States Circuit Judge
United States Court of Appeals for the Second Circuit
1040 Federal Plaza
Central Islip, New York 11722

Re: United States v. Kenner, 13-CR-607

Dear Judge Bianco,

This office has been appointed as standby counsel to assist Phillip Kenner in his capacity as a *pro se* litigant. Pursuant to the Court's scheduling order, Mr. Kenner's response to the Government's July 13th submission is due today. I was able to meet with Mr. Kenner on Monday the 19th, and furnished him with a copy of the Government's submission at that time.

However, to date I have not yet received Mr. Kenner's response, nor have I heard from him in several days. I understand that there is currently a lockdown in place at the Metropolitan Detention Center, which may be impeding Mr. Kenner's ability to work and communicate.

Accordingly, I am respectfully seeking an extension until Tuesday, July 27th to file Mr. Kenner's reply. I am *not* seeking a continuance of the July 30, 2021 video conference, as I know that Mr. Kenner is eager to move forward with that appearance.

I have conferred with AUSA Matthew Haggans, who informs me that the Government does not oppose this request for an extension. Thank you for your consideration.

Respectfully submitted,

/s/

Matthew W. Brissenden

cc: AUSA Matthew Haggans
Phillip Kenner